



**CITY OF SCOTTSDALE
CAPITAL PROJECT MANAGEMENT**

REQUEST FOR QUALIFICATIONS

CONSTRUCTION MANAGER AT RISK

PROJECT No. W0901 & V0902
Downtown Water & Sewer Lines

April 8, 2010

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REQUEST FOR QUALIFICATIONS

Downtown Water & Sewer Lines CONSTRUCTION MANAGER AT RISK PROJECT NO. W0901 & W0902

The City of Scottsdale is seeking a qualified Construction Manager at Risk (CMAR) to provide design phase service and complete construction services as the CMAR for the Downtown Water & Sewer Improvements. Wilson Engineers are the prime design consultant for these projects.

SECTION I – PROJECT DESCRIPTION

Project Overview

Revitalization in the downtown Scottsdale area has created the need for upgrades to the existing water distribution and sewer collection systems. In March, 2008, the City completed its Integrated Water and Wastewater Master Plans (IWWMP). This project will implement some of the recommendations in the IWWMP and includes 12-inch, 16-inch and 24-inch water mains and 12-inch sewer mains as shown in the attached sketches. The projects are funded in the Capital Improvement Program. Design development is at 30% and construction is planned for summer 2011.

SECTION II - SCOPE OF WORK

The CMAR will begin work with the design consultant firm in an agency support role for preconstruction services. Before construction, the CMAR will assume the risk of delivering the project through a guaranteed maximum price (GMP). The CMAR and the City will enter into a Design Phase and Preconstruction Contract for an agreed upon fee. Construction will not begin until the CMAR and the City have agreed upon a GMP. The CMAR will be responsible for construction means and methods, and will be required to solicit bids from prequalified subcontractors to perform the work.

- A. Design phase and Preconstruction services by the CMAR may include the following:
- provide detailed cost estimating and knowledge of marketplace conditions;
 - provide project planning and scheduling;
 - provide for construction phasing and scheduling that will minimize interruption to the public and business access to and use of the area;
 - provide alternate systems evaluation and constructability studies;
 - advise City of ways to gain efficiencies in project delivery;
 - provide long-lead procurement studies and initiate procurement of long-lead items;
 - protect the owner's sensitivity to quality, safety, and environmental factors; provide the CMAR's Guaranteed Maximum Price (GMP).
- B. Construction phase services by the CMAR will include:
- construct the water and sewer improvements;
 - assure that construction activities are limited to areas within the construction envelope
 - coordinate with various City of Scottsdale departments,
 - other agencies, utility companies, etc.;
 - arrange for procurement of materials and equipment;
 - secure and maintain city approved staging yard
 - schedule and manage site operations;

- bid, award, and manage all construction related contracts while meeting city requirements for procurement of subcontractor and supplier bids;
- provide quality controls;
- bond and insure the construction;
- address all federal, state and local permitting requirements;
- assist in resolution of owner issues;
- maintain a safe work site for all project participants; comply with the E-Verify requirements of State law.

SECTION III - STATEMENT OF QUALIFICATIONS EVALUATION CRITERIA

The CMAR will be selected through a qualifications-based selection process. Firms interested in providing CMAR services must submit a Statement of Qualifications (SOQ) that addresses the following issues:

A. Experience and Qualification of Firm. (30 points)

1. Provide a general description of the firm and/or team that is proposing to provide construction management services and general construction services. Explain the legal organization of the proposed firm or team. Provide an organization chart showing key personnel.
2. Provide the following information:
 - a. List the Arizona professional and contractor licenses held by the firm/team. Provide the license number and explain if held by an individual or the firm.
 - b. Identify any contract or subcontract held by the firm or officers of the firm, which has been terminated within the last 5 years. Identify any claims arising from a contract, which resulted in litigation or arbitration within the last 3 years. Briefly describe the circumstances and the outcomes.
 - c. If selected as a finalist for this project, you will be required to provide a statement from an A- or better surety company describing the Company's bonding capacity.
 - d. Submit your firms Construction Incident Rate
3. Identify at least 3 comparable projects in which the firm served as either CMAR, agency Construction Manager during design and construction phases (without providing construction services), or General Contractor. Special consideration will be given to firms that have provided Construction Manager at Risk services on similar successful projects.

For each project identified, provide the following:

- a. Description of the project
- b. Role of the firm (specify whether Construction Manager at Risk, Construction Manager or General Contractor. If CMAR or General Contractor, identify the percent of work self-performed. Also specify services provided during design phase, i.e. cost estimating, scheduling, value engineering, etc.)
- c. Project's original contracted construction cost and final construction cost
- d. Construction dates
- e. Project owner
- f. Reference information (two current names with telephone numbers per project)

B. Experience of key personnel to be assigned to this project. (25 points)

1. Identify all key personnel for the proposed project team. For each key person identified, list their length of time with the firm and at least 2 comparable projects in which they have played a primary role. If a project selected for a key person is the same as one selected for the firm, provide just the project name and the role of the key person. For other projects provide the following:
 - a. Description of project
 - b. Role of the person
 - c. Project's original contracted construction cost and final construction cost
 - d. Construction dates
 - e. Project owner
 - f. Reference information (two current names with telephone numbers per project)

C. Understanding of the project and approach to performing the required services. (30 points)

1. Discuss the major issues such as phasing, public information and traffic control your team has identified on this project and how you intend to address those issues.
2. Describe your firm's project management approach and team organization during design and construction phase services to address major issues. Describe systems used for planning, scheduling, estimating and managing construction. Briefly describe the firm's experience on quality control, dispute resolution, and safety management.

D. Principal office location and local participation. (5 points)

The city desires strong local participation in this project. Describe your firm's approach to maximize utilization of local resources, to include as a minimum, local suppliers, equipment providers, subcontractors, and laborers. Identify the location of the firm's principal office and the home office location of key staff on this project. Identify local (i.e. presently living in or relocating to the Valley) vs. non-local staffing of your team, and the percent of their work expected to be done locally.

E. Overall evaluation of the firm/team and its perceived ability to provide the required services. (10 points)

This is to be determined by the selection panel members. No submittal response is required.

SECTION IV - SUBMITTAL REQUIREMENTS

Firms interested in the above project should submit a Statement of Qualifications **which includes a one-page cover letter plus a maximum length of ten pages to address the SOQ criteria (excluding resumes, but including organizational chart)**. Resumes for each key team member must be limited to a maximum length of two pages and should be incorporated as an appendix at the end of the SOQ.

Reply to this request with a digital submittal in Adobe PDF format by uploading your submittal at <http://dropbox.yousendit.com/CityofScottsdale-CapitalProjects>. The subject line of the email MUST READ: W0901SOQ. The RFQ may not reach the Contract administrator should you use incorrect subject line and City shall not be responsible for not receiving and evaluating your RFQ.

Maximum document size is 10Mb. Minimum text size is 10 point. Please make sure the document is readable if printed in black/white. Submittals which exceed the 10 page limitation will not be considered.

Please be advised that failure to comply with the following criteria will be grounds for disqualification and will be strictly enforced:

- Receipt of submittal by the specified cut-off date and time.
- The number of originals and/or copies of the submittal specified.
- Adherence to maximum page requirement.

Adherence to the maximum page criterion is critical; each page side (maximum 8 1/2" x 11") with criteria information will be counted. Pages that have project photos, charts, and graphs will be counted towards the maximum number of pages. Table of Contents pages, tabbed divider pages and Resumes will not be counted if they do not contain submittal information. Resumes should not include project pictures.

SECTION V - SELECTION PROCESS AND SCHEDULE

A Selection Committee will evaluate each SOQ according to the criteria set forth in Section III above. The City may perform a due diligence process on the firm(s) receiving the highest evaluation on these SOQs. Finalists may be invited to participate in detailed interviews. An interview invitation letter will provide the evaluation criteria to be used. However, the City reserves the right to select a firm based on the SOQ submittals only and not to proceed to detailed interviews. The City will include at least 3 firms on the final list.

At the conclusion of the selection process, each of the rated elements for each firm will be evaluated to determine the Best Qualified for the project. The City will enter into negotiations with the selected firm and upon completion of project contract scope, term and fees will be submitted to the City Council for approval.

Pre-submittal conference is scheduled for **Thursday, April 22, 2010**. Pre-submittal Conference will be held at 7447 E. Indian School Road, Suite 125, CD # 1-3 Conference Room at 2:30 p.m. Pre-proposal meeting is not mandatory.

The SOQ **must be submitted** no later than **Friday, May 7, 2010 at 2:00 p.m.**

The interviews of short-listed firms are anticipated in the week of May 24, 2010

If the City is unsuccessful in negotiating a contract with the best-qualified team, the City may then negotiate with the second or third most qualified team until a contract is executed, or may decide to terminate the selection process.

Until the award and execution of a CMAR Construction contract, the City will only release the name of each person or firm placed on the final list. All other information received by the City in response to the SOQ or contained in the proposals will be confidential to avoid disclosure of the contents that may be prejudicial to the competing offerors during the selection process. The proposals will be open to public inspection after the Contract is awarded and the City has executed the contract with the selected offeror.

SECTION VI – IDEMNIFICATION, INSURANCE & BONDING REQUIREMENTS

The City of Scottsdale requires the selected team execute a CMAR Design Phase/Preconstruction Services Contract. The City has the basic format of this contract on our website:
[www.scottsdaleaz.gov/Assets/Public Website/projects/Capital+Projects/CM@RiskDesign.pdf](http://www.scottsdaleaz.gov/Assets/Public%20Website/projects/Capital+Projects/CM@RiskDesign.pdf)

The City's indemnification and Insurance language is included in this contract. Submission of your Request for Qualifications must indicate your firm's ability and agreement to execute Scottsdale's Standard CM at Risk contract. Questions must be submitted in writing and addressed by the City before submittal of any offeror's SOQ.

The City will require the posting of Payment and Performance bonds as a part of the CMAR Construction Contract in conformance with the requirements of A.R.S. §34-608.

SECTION VII – GENERAL INFORMATION

City Website: This CMAR Request for Qualifications will be listed on the City's web site. The address is: <http://www.scottsdaleaz.gov/projects/capitalprojects/RFQ.asp>.

Instructions: The City of Scottsdale will not be held responsible for any oral instructions.

City Rights: The City of Scottsdale reserves the right to reject any or all Statements of Qualifications, to waive any informality or irregularity in any Statement of Qualifications received, and to be the sole judge of the merits of the respective Statements of Qualifications received.

Release of Project Information: The City will provide the release of all public information concerning the project, including selection announcements and contract awards. Those desiring to release information to the public must first receive written approval from the City before any release of information.

Contact with City Employees: All firms interested in this project (including the firm's employees, representatives, agents, lobbyists, attorneys, and subconsultants) will refrain, under penalty of disqualification, from direct or indirect contact for the purpose of influencing the selection or creating bias in the selection process with any person who may play a part in the selection process, including the evaluation panel, the City Manager, Assistant City Manager, Deputy City Managers, Department Heads and other staff. This policy is intended to create a level playing field for all potential firms, assure that contract decisions are made in public and to protect the integrity of the selection process. All contact on this selection process should be addressed to the authorized representative identified below.

Questions: Questions pertaining to the consultant selection process or contract issues should be directed to Vivek Galav of the Capital Project Management Office (480) 312-7245.

Non-collusion Affidavit. All firms submitting proposals must submit a non-collusion affidavit in a form as set forth in Exhibit B. Failure of any firm to provide the non-collusion affidavit as a part of this sealed proposal is grounds for disqualification of the proposal.

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EXHIBIT A
CITY OF SCOTTSDALE SUBCONTRACTOR SELECTION PLAN

2.8 SUBCONTRACTOR AND MAJOR SUPPLIER SELECTIONS

- 2.8.1** The CMAR will select major Subcontractors and major Suppliers, subject to City's prior approval. This shall occur before submission of a GMP Proposal. Major Subcontractors may be selected based on qualifications or a combination of qualifications and price. Subcontractors may not be selected based on price alone. Except as noted below, the selection of major Subcontractors/Suppliers is the responsibility of the CMAR. In any case, the CMAR is solely responsible for the performance of the selected Subcontractors/Suppliers.
- 2.8.1.1** The CMAR will prepare a Subcontractor/Supplier selection plan and submit the plan to the City for approval. This subcontractor selection plan must identify those subcontractor trades anticipated to be selected by qualifications only per Section 2.8.2 and those subcontractor trades anticipated to be selected by qualifications and competitive bid in accordance with Section 2.8.3. This plan will also identify those subcontractors that will not be selected through a formalized qualifications-based selection process. The subcontractor selection plan must be consistent with the selection requirements of this RFQ and the Design/Preconstruction Services Contract. .
- 2.8.2** Selection by qualifications only - The City may approve the selection of a Subcontractor(s) or Suppliers(s) based only on their qualifications when the CMAR can demonstrate it is in the best interest of the Project.
- 2.8.2.1** The CMAR must apply the approved subcontractor selection plan in the evaluation of the qualifications of a Subcontractor(s) or Supplier(s) and provide the City with its review and recommendation.
- 2.8.2.2** The CMAR will negotiate costs for services/supplies from each Subcontractor/Supplier selected under this method.
- 2.8.3** Selection by qualifications and competitive bid - The CMAR must apply the subcontractor selection plan in the evaluation of the qualifications of a Subcontractor(s) or Supplier(s) and provide the City with its process to prequalify prospective subcontractors and suppliers. All Work for major subcontractors and major suppliers must then be competitively bid to the prequalified subcontractors unless a Subcontractor or Supplier was selected in accordance with paragraph 2.8.2 above.
- 2.8.3.1** The CMAR will develop Subcontractor and Supplier interest, submit the names of a minimum of 3 qualified Subcontractors or Suppliers for each trade in the Project and solicit bids for the various Work categories. If there are not 3 qualified Subcontractors/Suppliers available for a specific trade or there are extenuating circumstances warranting such, the CMAR may request approval by the City to submit less than 3 names. Without prior written notice to the City, no change in the recommended Subcontractors/Suppliers will be allowed.
- 2.8.3.2** If the City objects to any nominated Subcontractor/Supplier or to any self-performed Work for good reason, the CMAR will nominate a substitute Subcontractor/Supplier that is acceptable to the City.
- 2.8.3.3** The CMAR will distribute Drawings and Specifications, and when appropriate, conduct a prebid conference with prospective Subcontractors and Suppliers.

- 2.8.3.4** If the CMAR desires to self-perform certain portions of the Work, it will request to be one of the approved Subcontractor bidders for those specific bid packages. The CMAR's bid will be evaluated in accordance with the process identified below. If events warrant and the City concurs that in order to insure compliance with the Project Schedule and/or cost, the CMAR may self perform Work without bidding or re-bidding the Work.
- 2.8.4** If after receipt of sub-bids or after award of Subcontractors and Suppliers, the City objects to any nominated Subcontractor/Supplier or to any self-performed Work for good reason, the CMAR will nominate a substitute Subcontractor or Supplier, preferably if this option is still available, from those who submitted Subcontractor bids for the Work affected. Once these substitute Subcontractors and Suppliers are approved by the City, the CMAR's proposed GMP for the Work or portion of the work will be correspondingly adjusted to reflect any higher or lower costs from any substitutions.

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**EXHIBIT B
NON-COLLUSION PROPOSAL AFFIDAVIT**

STATE OF ARIZONA)
)ss.
County of Maricopa)

I, _____, of the City of _____, in the County of _____ and the State of _____, being of legal age, and being first duly sworn, upon my oath depose and say that:

I am _____, (name) I am the _____ (title, position, etc.) for the firm of _____, a Proposer submitting a Statement of Qualifications (SOQ) to the City of Scottsdale, for the CMAR contracts for the Downtown Water & Sewer Lines (Project W0901 & V0902) and that I executed the said SOQ with full authority so to do; that as a Proposer, I have not, directly or indirectly entered into any agreement, participated in any collusion, entered into any kind of an agreement whatsoever, oral or written, whereby different proposers on any project for the City agree either as to who is to be the low bidder, or as to the amount of any bid or any part of any bid, or otherwise taken any action in restraint of free, competitive bidding, disclosed the amount(s) of a sealed bid of any other proposer, to any other person, firm or corporation in the same business doing business in this State, or known to the person disclosing the figures to be likely to submit an SOQ for the same project before the bids are opened, in connection with the above named SOQ; and that all statements contained in said SOQ and in this affidavit are true and correct, and made with full knowledge that the City of Scottsdale relies upon the truth of the statements contained in said SOQ and in the statements contained in this affidavit in awarding the contracts for the Downtown Water & Sewer Lines (Project W0901 & V0902).

I further warrant that no employee of our company, other person or selling agency has been employed to solicit or secure such Contract upon an agreement of understanding, for a commission, percentage, brokerage or contingent fee, except bonafide employees or bonafide established commercial or selling agencies maintained by _____.

(Signature of Proposer officer)

(Printed or typed name of Proposer)

SWORN TO BEFORE me this ____ day of _____, 20____, in the County of Maricopa, State of Arizona, by _____

Notary Public

My Commission Expires: